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**Attorneys for Defendant, E. Junior Maldonado, In His Official Capacity As Hudson County Clerk**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE**

**CHRISTINE CONFORTI, ARATI KREIBICH,  
MICO LUCIDE, JOSEPH MARCHICA, KEVIN  
MCMILLAN, ZINOVIA SPEZIAKIS, and  
NEWJERSEY WORKING FAMILIES  
ALLIANCE, INC.,**

**Plaintiff,**

**vs.**

**CHRISTINE GIORDANO HANLON, in her  
official capacity as Monmouth County  
Clerk, SCOTT M. COLABELLA, in his official  
capacity as Ocean County Clerk, PAULA  
SOLLAMI COVELLO, in her official capacity  
as Mercer County Clerk, JOHN S. HOGAN, in  
his official capacity as Bergen County  
Clerk, EDWARD P. MCGETTIGAN, in his  
official capacity as Atlantic County Clerk,  
and E. JUNIOR MALDONADO, in his official  
capacity as Hudson County Clerk,**

**Defendants.**

**CIVIL ACTION NO. 3:20-cv- 08267-  
FLW-TJB**

**CIVIL ACTION**

**DEFENDANT, E. JUNIOR MALDONADO'S  
ANSWER, AFFIRMATIVE DEFENSES,  
AND CROSS-CLAIM**

Defendant, E. Junior Maldonado, in his official capacity as Hudson County Clerk  
(hereinafter "ANSWERING DEFENDANT") by way of Answer to the First Amended Complaint

of Plaintiff, hereby responds as follows:

**NATURE OF THE CASE**

1. The allegations in Paragraph 1 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 1 and leaves Plaintiff to their proofs.
2. The allegations in Paragraph 2 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 2 and leaves Plaintiff to their proofs.
3. The allegations in Paragraph 3 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 3 and leaves Plaintiff to their proofs.
4. The allegations in Paragraph 4 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 4 and leaves Plaintiff to their proofs.
5. The allegations in Paragraph 5 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 5 and leaves Plaintiff to their proofs.
6. The allegations in Paragraph 6 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 6 and leaves Plaintiff to their proofs.
7. The allegations in Paragraph 7 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 7 and leaves Plaintiff to their proofs.

8. The allegations in Paragraph 8 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 8 and leaves Plaintiff to their proofs.

9. The allegations in Paragraph 9 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 9 and leaves Plaintiff to their proofs.

10. The allegations in Paragraph 10 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 10 and leaves Plaintiff to their proofs.

11. The allegations in Paragraph 11 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 11 and leaves Plaintiff to their proofs.

12. The allegations in Paragraph 12 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 12 and leaves Plaintiff to their proofs.

13. The allegations in Paragraph 13 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 13 and leaves Plaintiff to their proofs.

#### **JURISDICTION AND VENUE**

14. ANSWERING DEFENDANT denies and leaves Plaintiff to their proofs.
15. ANSWERING DEFENDANT denies and leaves Plaintiff to their proofs.
16. ANSWERING DEFENDANT denies and leaves Plaintiff to their proofs.
17. ANSWERING DEFENDANT denies and leaves Plaintiff to their proofs.
18. The allegations in Paragraph 18 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 18 and leaves Plaintiff to their proofs.

## **PARTIES**

### **Plaintiffs**

19. The allegations in Paragraph 19 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 19 and leaves Plaintiff to their proofs.
20. The allegations in Paragraph 20 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 20 and leaves Plaintiff to their proofs.
21. The allegations in Paragraph 21 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 21 and leaves Plaintiff to their proofs.

22. The allegations in Paragraph 22 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 22 and leaves Plaintiff to their proofs.

23. The allegations in Paragraph 23 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 23 and leaves Plaintiff to their proofs.

24. The allegations in Paragraph 24 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 24 and leaves Plaintiff to their proofs.

25. The allegations in Paragraph 25 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 25 and leaves Plaintiff to their proofs.

26. The allegations in Paragraph 26 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 26 and leaves Plaintiff to their proofs.

27. The allegations in Paragraph 27 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 27 and leaves Plaintiff to their proofs.

28. The allegations in Paragraph 28 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 28 and leaves Plaintiff to their proofs.

29. The allegations in Paragraph 29 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 29 and leaves Plaintiff to their proofs.

30. The allegations in Paragraph 30 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 30 and leaves Plaintiff to their proofs.

31. The allegations in Paragraph 31 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 31 and leaves Plaintiff to their proofs.

32. The allegations in Paragraph 32 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 32 and leaves Plaintiff to their proofs.

33. The allegations in Paragraph 33 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 33 and leaves Plaintiff to their proofs.

34. The allegations in Paragraph 34 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 34 and leaves Plaintiff to their proofs.

35. The allegations in Paragraph 35 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 35 and leaves Plaintiff to their proofs.

36. The allegations in Paragraph 36 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 36 and leaves Plaintiff to their proofs.

37. The allegations in Paragraph 37 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 37 and leaves Plaintiff to their proofs.

38. The allegations in Paragraph 38 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 38 and leaves Plaintiff to their proofs.

39. The allegations in Paragraph 39 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 39 and leaves Plaintiff to their proofs.

40. The allegations in Paragraph 40 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 40 and leaves Plaintiff to their proofs.

41. The allegations in Paragraph 41 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 41 and leaves Plaintiff to their proofs.

42. The allegations in Paragraph 42 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 42 and leaves Plaintiff to their proofs.

43. The allegations in Paragraph 43 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 43 and leaves Plaintiff to their proofs.



44. The allegations in Paragraph 44 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 44 and leaves Plaintiff to their proofs.

45. The allegations in Paragraph 45 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 45 and leaves Plaintiff to their proofs.

46. The allegations in Paragraph 46 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 46 and leaves Plaintiff to their proofs.

47. The allegations in Paragraph 47 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 47 and leaves Plaintiff to their proofs.

48. The allegations in Paragraph 48 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 48 and leaves Plaintiff to their proofs.

49. The allegations in Paragraph 49 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 49 and leaves Plaintiff to their proofs.

50. The allegations in Paragraph 50 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 50 and leaves Plaintiff to their proofs.

51. The allegations in Paragraph 51 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 51 and leaves Plaintiff to their proofs.

52. The allegations in Paragraph 52 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 52 and leaves Plaintiff to their proofs.

53. The allegations in Paragraph 53 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 53 and leaves Plaintiff to their proofs.

54. The allegations in Paragraph 54 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 54 and leaves Plaintiff to their proofs.

55. The allegations in Paragraph 55 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 55 and leaves Plaintiff to their proofs.

56. The allegations in Paragraph 56 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 56 and leaves Plaintiff to their proofs.

### **Defendants**

57. The allegations in Paragraph 57 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 57 and leaves Plaintiff to their proofs.

58. The allegations in Paragraph 58 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 58 and leaves Plaintiff to their proofs.

59. The allegations in Paragraph 59 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 59 and leaves Plaintiff to their proofs.

60. The allegations in Paragraph 60 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 60 and leaves Plaintiff to their proofs.

61. The allegations in Paragraph 61 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 61 and leaves Plaintiff to their proofs.

62. Admitted.

63. ANSWERING DEFENDANT denies and leaves Plaintiff to their proofs.

64. The allegations in Paragraph 64 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 64 and leaves Plaintiff to their proofs.

65. The allegations in Paragraph 65 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 65 and leaves Plaintiff to their proofs.

## **STATEMENT OF FACTS AND LAW**

### **A. Basic Ballot Layout**

66. The allegations in Paragraph 66 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 66 and leaves Plaintiff to their proofs.

67. The allegations in Paragraph 67 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 67 and leaves Plaintiff to their proofs.

68. The allegations in Paragraph 68 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 68 and leaves Plaintiff to their proofs.

**B. Pivot Point**

69. The allegations in Paragraph 69 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 69 and leaves Plaintiff to their proofs.

70. The allegations in Paragraph 70 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 70 and leaves Plaintiff to their proofs.

71. The allegations in Paragraph 71 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 71 and leaves Plaintiff to their proofs.

72. The allegations in Paragraph 72 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 72 and leaves Plaintiff to their proofs.

**C. Bracketing**

73. The allegations in Paragraph 73 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 73 and leaves Plaintiff to their proofs.

74. The allegations in Paragraph 74 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 74 and leaves Plaintiff to their proofs.

75. The allegations in Paragraph 75 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 75 and leaves Plaintiff to their proofs.

**D. Ballot Position**

76. The allegations in Paragraph 76 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 76 and leaves Plaintiff to their proofs.

77. The allegations in Paragraph 77 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 77 and leaves Plaintiff to their proofs.

78. The allegations in Paragraph 78 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 78 and leaves Plaintiff to their proofs.

79. The allegations in Paragraph 79 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 79 and leaves Plaintiff to their proofs.

80. The allegations in Paragraph 80 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 80 and leaves Plaintiff to their proofs.

81. The allegations in Paragraph 81 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 81 and leaves Plaintiff to their proofs.

**E. United States Senate and Gubernatorial Candidates**

82. The allegations in Paragraph 82 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 82 and leaves Plaintiff to their proofs.

83. The allegations in Paragraph 83 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 83 and leaves Plaintiff to their proofs.

84. The allegations in Paragraph 84 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 84 and leaves Plaintiff to their proofs.

85. The allegations in Paragraph 85 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 85 and leaves Plaintiff to their proofs.

**F. Arbitrary Criteria for Ballot Advantage and Varying Standards of County Clerks**

86. The allegations in Paragraph 86 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 86 and leaves Plaintiff to their proofs.

87. The allegations in Paragraph 87 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 87 and leaves Plaintiff to their proofs.

88. ANSWERING DEFENDANT denies and leaves Plaintiff to their proofs.



89. The allegations in Paragraph 89 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 89 and leaves Plaintiff to their proofs.

**G. Position Bias/Primacy Effect and Other Poor Ballot Design Features**

90. The allegations in Paragraph 90 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 90 and leaves Plaintiff to their proofs.

91. The allegations in Paragraph 91 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 91 and leaves Plaintiff to their proofs.

92. The allegations in Paragraph 92 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 92 and leaves Plaintiff to their proofs.

93. The allegations in Paragraph 93 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 93 and leaves Plaintiff to their proofs.

94. The allegations in Paragraph 94 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 94 and leaves Plaintiff to their proofs.

95. The allegations in Paragraph 95 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 95 and leaves Plaintiff to their proofs.

96. The allegations in Paragraph 96 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 96 and leaves Plaintiff to their proofs.

97. The allegations in Paragraph 97 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 97 and leaves Plaintiff to their proofs.

98. The allegations in Paragraph 98 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 98 and leaves Plaintiff to their proofs.

99. The allegations in Paragraph 99 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 99 and leaves Plaintiff to their proofs.

100. The allegations in Paragraph 100 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 100 and leaves Plaintiff to their proofs.

**H. Conforti Ballot Draw/Ballot Placement**

101. The allegations in Paragraph 101 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 101 and leaves Plaintiff to their proofs.

102. The allegations in Paragraph 102 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 102 and leaves Plaintiff to their proofs.

103. The allegations in Paragraph 103 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 103 and leaves Plaintiff to their proofs.

104. The allegations in Paragraph 104 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 104 and leaves Plaintiff to their proofs.

105. The allegations in Paragraph 105 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 105 and leaves Plaintiff to their proofs.

106. The allegations in Paragraph 106 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 106 and leaves Plaintiff to their proofs.

107. The allegations in Paragraph 107 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 107 and leaves Plaintiff to their proofs.

108. The allegations in Paragraph 108 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 108 and leaves Plaintiff to their proofs.

109. The allegations in Paragraph 109 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 109 and leaves Plaintiff to their proofs.

110. The allegations in Paragraph 110 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 110 and leaves Plaintiff to their proofs.

111. The allegations in Paragraph 111 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 111 and leaves Plaintiff to their proofs.

112. The allegations in Paragraph 112 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 112 and leaves Plaintiff to their proofs.

113. The allegations in Paragraph 113 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 113 and leaves Plaintiff to their proofs.

114. The allegations in Paragraph 114 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 114 and leaves Plaintiff to their proofs.

115. The allegations in Paragraph 115 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 115 and leaves Plaintiff to their proofs.

116. The allegations in Paragraph 116 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 116 and leaves Plaintiff to their proofs.

117. The allegations in Paragraph 89 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 89 and leaves Plaintiff to their proofs.

**I. Kreibach Ballot Draw/Ballot Placement**

118. The allegations in Paragraph 118 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 118 and leaves Plaintiff to their proofs.

119. The allegations in Paragraph 119 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 119 and leaves Plaintiff to their proofs.

120. The allegations in Paragraph 120 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 120 and leaves Plaintiff to their proofs.

121. The allegations in Paragraph 121 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 121 and leaves Plaintiff to their proofs.

122. The allegations in Paragraph 122 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 122 and leaves Plaintiff to their proofs.

123. The allegations in Paragraph 123 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 123 and leaves Plaintiff to their proofs.

124. The allegations in Paragraph 124 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 124 and leaves Plaintiff to their proofs.

125. The allegations in Paragraph 125 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 125 and leaves Plaintiff to their proofs.

**J. Atlantic County Ballot Draw/ Ballot Placement and Lucide's Upcoming Primary**

126. The allegations in Paragraph 126 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 126 and leaves Plaintiff to their proofs.

127. The allegations in Paragraph 127 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 127 and leaves Plaintiff to their proofs.

128. The allegations in Paragraph 128 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 128 and leaves Plaintiff to their proofs.

129. The allegations in Paragraph 129 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 129 and leaves Plaintiff to their proofs.

130. The allegations in Paragraph 130 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 130 and leaves Plaintiff to their proofs.

131. The allegations in Paragraph 131 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 131 and leaves Plaintiff to their proofs.

**K. Marchica Ballot Draw/ Ballot Placement**

132. The allegations in Paragraph 132 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 132 and leaves Plaintiff to their proofs.



133. The allegations in Paragraph 133 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 133 and leaves Plaintiff to their proofs.

134. The allegations in Paragraph 134 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 134 and leaves Plaintiff to their proofs.

135. The allegations in Paragraph 135 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 135 and leaves Plaintiff to their proofs.

136. The allegations in Paragraph 136 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 136 and leaves Plaintiff to their proofs.

137. The allegations in Paragraph 137 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 137 and leaves Plaintiff to their proofs.

138. The allegations in Paragraph 138 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 138 and leaves Plaintiff to their proofs.

139. The allegations in Paragraph 139 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 139 and leaves Plaintiff to their proofs.

140. The allegations in Paragraph 140 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 140 and leaves Plaintiff to their proofs.

141. The allegations in Paragraph 141 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 141 and leaves Plaintiff to their proofs.

**L. McMillan Ballot Draw/ Ballot Position**

142. The allegations in Paragraph 142 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 142 and leaves Plaintiff to their proofs.

143. The allegations in Paragraph 143 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 143 and leaves Plaintiff to their proofs.

144. The allegations in Paragraph 144 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 144 and leaves Plaintiff to their proofs.

145. The allegations in Paragraph 145 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 145 and leaves Plaintiff to their proofs.

146. The allegations in Paragraph 146 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 146 and leaves Plaintiff to their proofs.

147. The allegations in Paragraph 147 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 147 and leaves Plaintiff to their proofs.

148. The allegations in Paragraph 148 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 148 and leaves Plaintiff to their proofs.

149. The allegations in Paragraph 149 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 149 and leaves Plaintiff to their proofs.

150. The allegations in Paragraph 150 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 150 and leaves Plaintiff to their proofs.

151. The allegations in Paragraph 151 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 151 and leaves Plaintiff to their proofs.

**M. Bergen and Hudson County Ballot Draws/ Ballot Placement and Spezakis' Upcoming Primary**

152. The allegations in Paragraph 152 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 152 and leaves Plaintiff to their proofs.

153. Admitted as to the ANSWERING DEFENDANT.

154. The allegations in Paragraph 154 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 154 and leaves Plaintiff to their proofs.

155. The allegations in Paragraph 155 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 155 and leaves Plaintiff to their proofs.

156. The allegations in Paragraph 156 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 156 and leaves Plaintiff to their proofs.

157. The allegations in Paragraph 157 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 157 and leaves Plaintiff to their proofs.

158. The allegations in Paragraph 158 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 158 and leaves Plaintiff to their proofs.

159. The allegations in Paragraph 159 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 159 and leaves Plaintiff to their proofs.

160. The allegations in Paragraph 160 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 160 and leaves Plaintiff to their proofs.

161. Admitted.

162. ANSWERING DEFENDANT denies and leaves Plaintiff to their proofs.

163. ANSWERING DEFENDANT neither admits nor denies the allegations in Paragraph 163 and leaves Plaintiff to their proofs.

164. ANSWERING DEFENDANT neither admits nor denies the allegations in Paragraph 164 and leaves Plaintiff to their proofs.

165. ANSWERING DEFENDANT neither admits nor denies the allegations in Paragraph 165 and leaves Plaintiff to their proofs.

166. ANSWERING DEFENDANT neither admits nor denies the allegations in Paragraph 166 and leaves Plaintiff to their proofs.

167. The allegations in Paragraph 167 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 167 and leaves Plaintiff to their proofs.

## **CLAIMS FOR RELIEF**

### **COUNT I**

#### **U.S. Const. Amend. I and XIV, 42 U.S.C. § 1983**

#### **Violation of Plaintiffs' First and Fourteenth Amendment Rights Under Federal Constitution (Right to Vote/Vote Dilution)**

168. ANSWERING DEFENDANT repeats and realleges his responses to each of the foregoing allegations and incorporates same herein as though set forth at length.

169. ANSWERING DEFENDANT neither admits nor denies the allegations in Paragraph 169 and leaves Plaintiff to their proofs.

170. ANSWERING DEFENDANT neither admits nor denies the allegations in Paragraph 170 and leaves Plaintiff to their proofs.

171. The allegations in Paragraph 171 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 167 and leaves Plaintiff to their proofs.

172. The allegations in Paragraph 167 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 167 and leaves Plaintiff to their proofs.

173. Denied as to the ANSWERING DEFENDANT.

174. The allegations in Paragraph 174 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 174 and leaves Plaintiff to their proofs.

175. The allegations in Paragraph 175 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 175 and leaves Plaintiff to their proofs.

176. The allegations in Paragraph 176 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 176 and leaves Plaintiff to their proofs.

177. Denied as to the ANSWERING DEFENDANT.

178. The allegations in Paragraph 178 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 178 and leaves Plaintiff to their proofs.

179. The allegations in Paragraph 179 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 179 and leaves Plaintiff to their proofs.

180. Denied as to the ANSWERING DEFENDANT.

181. The allegations in Paragraph 181 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 181 and leaves Plaintiff to their proofs.

182. The allegations in Paragraph 182 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 182 and leaves Plaintiff to their proofs.

## **COUNT II**

### **U.S. Const. Amend. I and XIV, 42 U.S.C. § 1983**

#### **Violation of Plaintiffs' First and Fourteenth Amendment Rights Under Federal Constitution (Equal Protection)**



183. ANSWERING DEFENDANT repeats and realleges his responses to each of the foregoing allegations and incorporates same herein as though set forth at length.

184. The allegations in Paragraph 184 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 184 and leaves Plaintiff to their proofs.

185. The allegations in Paragraph 185 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 185 and leaves Plaintiff to their proofs.

186. The allegations in Paragraph 186 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 186 and leaves Plaintiff to their proofs.

187. The allegations in Paragraph 187 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 187 and leaves Plaintiff to their proofs.

188. The allegations in Paragraph 188 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 188 and leaves Plaintiff to their proofs.

189. The allegations in Paragraph 189 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 189 and leaves Plaintiff to their proofs.

190. The allegations in Paragraph 190 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 190 and leaves Plaintiff to their proofs.

191. The allegations in Paragraph 191 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 191 and leaves Plaintiff to their proofs.

192. The allegations in Paragraph 192 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 192 and leaves Plaintiff to their proofs.

193. The allegations in Paragraph 193 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 193 and leaves Plaintiff to their proofs.

194. The allegations in Paragraph 194 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 194 and leaves Plaintiff to their proofs.

### **COUNT III**

#### **U.S. Const. Amend. I and XIV, 42 U.S.C. § 1983**

#### **Violation of Plaintiffs' First and Fourteenth Amendment Rights Under Federal Constitution (Freedom of Association)**

195. ANSWERING DEFENDANT repeats and realleges his responses to each of the foregoing allegations and incorporates same herein as though set forth at length.

196. The allegations in Paragraph 196 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 196 and leaves Plaintiff to their proofs.

197. The allegations in Paragraph 197 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 197 and leaves Plaintiff to their proofs.

198. The allegations in Paragraph 198 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 198 and leaves Plaintiff to their proofs.

199. The allegations in Paragraph 199 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 199 and leaves Plaintiff to their proofs.

200. Denied as to the ANSWERING DEFENDANT.

201. The allegations in Paragraph 201 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 201 and leaves Plaintiff to their proofs.

202. The allegations in Paragraph 202 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 202 and leaves Plaintiff to their proofs.

203. The allegations in Paragraph 203 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 203 and leaves Plaintiff to their proofs.

204. The allegations in Paragraph 204 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 204 and leaves Plaintiff to their proofs.

205. The allegations in Paragraph 205 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 205 and leaves Plaintiff to their proofs.

206. The allegations in Paragraph 206 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 206 and leaves Plaintiff to their proofs.

207. The allegations in Paragraph 207 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 207 and leaves Plaintiff to their proofs.

208. The allegations in Paragraph 202 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 202 and leaves Plaintiff to their proofs.

#### **COUNT IV**

#### **U.S. Const. Art. I, § 4, cl. 1, 42 U.S.C. § 1983**

#### **Violation of Elections Clause Under Federal Constitution**

209. ANSWERING DEFENDANT repeats and realleges his responses to each of the foregoing allegations and incorporates same herein as though set forth at length.

210. The allegations in Paragraph 210 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 210 and leaves Plaintiff to their proofs.

211. The allegations in Paragraph 211 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 211 and leaves Plaintiff to their proofs.

212. The allegations in Paragraph 212 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 212 and leaves Plaintiff to their proofs.

213. The allegations in Paragraph 213 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 213 and leaves Plaintiff to their proofs.

214. The allegations in Paragraph 214 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 214 and leaves Plaintiff to their proofs.

215. The allegations in Paragraph 215 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 215 and leaves Plaintiff to their proofs.

216. The allegations in Paragraph 216 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all

allegations which may derived against him in Paragraph 216 and leaves Plaintiff to their proofs.

217. The allegations in Paragraph 217 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 217 and leaves Plaintiff to their proofs.

218. The allegations in Paragraph 218 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 218 and leaves Plaintiff to their proofs.

219. The allegations in Paragraph 219 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 219 and leaves Plaintiff to their proofs.

220. The allegations in Paragraph 220 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 220 and leaves Plaintiff to their proofs.

221. The allegations in Paragraph 221 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 221 and leaves Plaintiff to their proofs.

**COUNT V**

**42 U.S.C. § 1983**

**Violation of Civil Rights Act**

222. ANSWERING DEFENDANT repeats and realleges his responses to each of the foregoing allegations and incorporates same herein as though set forth at length.

223. The allegations in Paragraph 223 are not applicable to the ANSWERING DEFENDANT, thus warrant no admission or denial, but ANSWERING DEFENDANT denies any and all allegations which may derived against him in Paragraph 223 and leaves Plaintiff to their proofs.

224. Denied as to the ANSWERING DEFENDANT.

225. Denied as to the ANSWERING DEFENDANT.

**WHEREFORE**, ANSWERING DEFENDANT respectfully requests that this Court:

- a. Dismiss any and all claims alleged against them in Plaintiff's Complaint;
- b. Award them attorney's fees, interest, cost of suit;
- c. Award them any other relief this Court deems appropriate, equitable, just, and proper.

**AFFIRMATIVE DEFENSES**

1. The Courts lacks jurisdictional authority over all the actual facts and allegations underlying the Complaint.

2. Plaintiff's Complaint must be dismissed because the chosen forum is improper and inconvenient.



3. There is insufficiency and lack of proper service of process.
4. The Complaint fails to state a claim upon which relief can be granted.
5. Any and all damages alleged to have been suffered by Plaintiff are not causally related to any act and/or omission alleged to be chargeable to the ANSWERING DEFENDANT .
6. At all times and places mentioned in the Plaintiff's Complaint, the ANSWERING DEFENDANT violated no legal duty owed by it to the Plaintiff.
7. The allegations contained in Plaintiff's Complaint are frivolous, groundless and without merit as to the ANSWERING DEFENDANT.
8. The ANSWERING DEFENDANT was not deliberately indifferent in performing any customs or practice and therefore cannot be found liable for any perceived deficiencies.
9. The claims of the Plaintiff are barred and/or limited by the Plaintiff's failure to avail themselves to administrative remedies and/or arbitration.
10. The ANSWERING DEFENDANT asserts that the actions taken by them were privileged, subject to immunity and/or partial immunity, and/or authorized by law.
11. The Plaintiff's Complaint must be dismissed under the provisions of 42 U.S.C. § 1983 of the Civil Rights Act of 1871.
12. ANSWERING DEFENDANT has not acted willfully, maliciously, or wantonly, and thus, punitive damages are not appropriate.
13. The claims of the Plaintiff are barred by virtue of the Doctrine of Laches.

14. Any injuries and/or damages sustained by Plaintiff are the result of the act and/or acts of independent, intervening agencies over which the ANSWERING DEFENDANT has no power or control.

15. The claims of the Plaintiff are barred and/or limited by way of the Doctrine of Estoppel.

16. The claims of the Plaintiff are barred and/or limited by reason of the Doctrine of Waiver.

17. Certain claims are barred by the applicable Statute of Limitations and the ANSWERING DEFENDANT reserves the right to dismiss the Plaintiff's Complaint on that ground.

18. This action is barred by reason of the ANSWERING DEFENDANT'S Statutory Immunity, and he reserves the right to move to dismiss, with prejudice, the Plaintiff's Complaint on that ground.

19. Plaintiff's claims must be dismissed under the Doctrine of Qualified Immunity.

20. Plaintiff's claims must be dismissed under the Doctrine of Absolute Immunity.

21. Plaintiff's claims for attorneys' fees, if any, are not recoverable under the causes of action alleged in Plaintiff's Complaint.

22. The ANSWERING DEFENDANT has, at all times, complied and continues to comply with all applicable federal, state, and local statutes and regulations.

23. The ANSWERING DEFENDANT owed no duty, fiduciary or otherwise, to Plaintiff.

24. Plaintiff has not suffered any legally cognizable damage.

25. The ANSWERING DEFENDANT has no obligation to pay Plaintiff any amount of the losses or damages alleged.

37. The ANSWERING DEFENDANT reserves the right to amend this Answer to assert additional separate defenses as may be revealed or suggested by additional pleadings, ongoing investigation, or discovery.

#### **CROSS-CLAIM FOR CONTRIBUTION AND INDEMNIFICATION**

Without admitting any liability whatsoever, Defendant, E. Junior Maldonado, In His Official Capacity As Hudson County Clerk, hereby demands from any/all other defendants (currently named Case 3:20-cv-08267-ZNQ-TJB Document 129 Filed 07/28/22 Page 23 of 25 PageID: 141043 24 or to be named) in this action both contribution and indemnification pursuant to any/all applicable provisions of common law, and/or contract and/or statute, (including, but not limited to, the New Jersey Joint Tortfeasor's Contribution Act N.J.S.A. 2:53A, et seq.), and the New Jersey Tort Claims Act N.J.S.A. 59:9-3, 9-4 and/or by way of demand for complete indemnification against all other defendants currently named or to be named, assert that any negligence on the part of Defendant, E. Junior Maldonado, In His Official Capacity As Hudson County Clerk, is only secondary, vicarious, and imputed, whereas the negligence of any/all such other defendants was primary, direct and active.

#### **DESIGNATION OF TRIAL ATTORNEY**

Edward J. Florio Esq. is hereby designated as trial counsel for ANSWERING DEFENDANT in the within matter.

**CERTIFICATION PURSUANT TO L. CIV. R. 11.2**

I, Edward J. Florio, hereby certify as follows:

1. To the best of my knowledge, this matter is not the subject of any other action pending in any Court or any pending arbitration proceeding.
2. To the best of my knowledge, no action or arbitration proceeding is contemplated.
3. To the best of my knowledge, there are no other parties who should be joined in this litigation at this time. I hereby certify that the foregoing statements made by me are true.
4. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Respectfully submitted,

FLORIO KENNY RAVAL, LLP  
ATTORNEYS FOR DEFENDANT,  
Defendant, E. Junior Maldonado, In His  
Official Capacity As Hudson County Clerk

By: /s/Edward J. Florio  
EDWARD J. FLORIO, ESQ.

DATED: July 28, 2022